

MERCHANT & GOULD P.C.
United States Patent Application
DECLARATION UNDER 37 C.F.R. § 1.63

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **INTEGRATED TRAFFIC MONITORING SYSTEM**

The specification of which

- a. ☒ is attached hereto
 b. ☐ was filed on as application serial no. and was amended on (if applicable) (in the case of a PCT-filed application) described and claimed in international no. filed and as amended on (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

- a. ☒ no such applications have been filed.
 b. ☐ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (reprinted below).

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim;

or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

Please direct all correspondence in this case to Merchant & Gould P.C. at the address indicated below:

23552
PATENT TRADEMARK OFFICE

Merchant & Gould P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are

punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2	Full Name Of Inventor	Family Name DEMOPOULOS	First Given Name ROBERT	Second Given Name JAMES
0	Residence & Citizenship	City CHAMPLIN	State or Foreign Country MINNESOTA	Country of Citizenship UNITED STATES
1	Mailing Address	Address 12148 MISSISSIPPI DRIVE NORTH	City CHAMPLIN	State & Zip Code/Country MINNESOTA/55316/UNITED STATES
Signature of Inventor 201:			Date: 1-29-04	
2	Full Name Of Inventor	Family Name FLADEBO	First Given Name DAVID	Second Given Name JAMES
0	Residence & Citizenship	City CLEAR LAKE	State or Foreign Country MINNESOTA	Country of Citizenship UNITED STATES
2	Mailing Address	Address 11454 85TH AVE	City CLEAR LAKE	State & Zip Code/Country MINNESOTA/55319/UNITED STATES
Signature of Inventor 202:			Date: 1/29/2004	

S/N Unknown

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Demopoulos, et al.	Examiner:	Unknown
Serial No.:	Unknown	Group Art Unit:	Unknown
Filed:	Herewith	Docket No.:	14584.1US01
Title:	INTEGRATED DATA TRAFFIC MONITORING SYSTEM		

POWER OF ATTORNEY

The undersigned hereby appoints:

Ali, M. Jeffer	Reg. No. 46,359
Altera, Allan G.	Reg. No. 40,274
Anderson, Gregg I.	Reg. No. 28,828
Batzli, Brian H.	Reg. No. 32,960
Beard, John L.	Reg. No. 27,612
Berns, John M.	Reg. No. 43,496
Blackburn, Murrell W.	Reg. No. 50,881
Bortolotti, Rebecca	Reg. No. 51,488
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Byrne, Linda M.	Reg. No. 32,404
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Cook, Jeffrey	Reg. No. 48,649
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Daley, Dennis R.	Reg. No. 34,994
Daley, William J.	Reg. No. 52,471
Daulton, Julie R.	Reg. No. 36,414
Deffner, Mark E.	Reg. No. P-55,103
DeVries Smith, Katherine M.	Reg. No. 42,157
DiPietro, Mark J.	Reg. No. 28,707
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Edell, Robert T.	Reg. No. 20,187
Epp Ryan, Sandra	Reg. No. 39,667
Fitzsimmons, Karen A.	Reg. No. 50,470
Frost, Roger T.	Reg. No. 22,176
Golla, Charles E.	Reg. No. 26,896
Gorman, Alan G.	Reg. No. 38,472
Gotfredson, Garen J.	Reg. No. 44,722
Gould, John D.	Reg. No. 18,223
Gresens, John J.	Reg. No. 33,112
Haack, John L.	Reg. No. 36,154
Hamre, Curtis B.	Reg. No. 29,165

Hennings, Mark	Reg. No. 48,982
Hertzberg, Brett A.	Reg. No. 42,660
Hillson, Randall A.	Reg. No. 31,838
Hopt, Leonard J.	Reg. No. 44,774
Hornsby, III, Alton	Reg. No. 47,299
Jacobson, Charles A.	Reg. No. 53,061
Johns, Nicholas P.	Reg. No. 48,995
Johnston, Scott W.	Reg. No. 39,721
Kalinsky, Robert A.	Reg. No. 50,471
Kettelberger, Denise	Reg. No. 33,924
Knearl, Homer L.	Reg. No. 21,197
Korver, Joshua W.	Reg. No. 51,894
Kowalchyk, Alan W.	Reg. No. 31,535
Kowalchyk, Katherine M.	Reg. No. 36,848
Lamberty, Michael	Reg. No. 50,760
Larson, James A.	Reg. No. 40,443
Lauer, Deakin T.	Reg. No. 47,892
Leach III, Thomas J.	Reg. No. 53,188
Leonard, Christopher J.	Reg. No. 41,940
Lewis, George C.	Reg. No. 53,214
Liepa, Mara E.	Reg. No. 40,066
McDonald, Daniel W.	Reg. No. 32,044
McIntyre, Jr., William F.	Reg. No. 44,921
Mueller, Douglas P.	Reg. No. 30,300
Nelson, Anna M.	Reg. No. 48,935
Pauly, Daniel M.	Reg. No. 40,123
Peterson, Kyle T.	Reg. No. 46,989
Phillips, John B.	Reg. No. 37,206
Randall, Joshua N.	Reg. No. 50,719
Reich, John C.	Reg. No. 37,703
Reiland, Earl D.	Reg. No. 25,767
Schmaltz, David G.	Reg. No. 39,828
Schuman, Mark D.	Reg. No. 31,197

Schumann, Michael D.	Reg. No. 30,422	Trembath, Jon R.	Reg. No. 38,344
Scully, Timothy B.	Reg. No. 42,137	Underhill, Albert L.	Reg. No. 27,403
Sebald, Gregory A.	Reg. No. 33,280	Wahl, John R.	Reg. No. 33,044
Skoog, Mark T.	Reg. No. 40,178	Welter, Paul A.	Reg. No. 20,890
Sorge, Keith M.	Reg. No. 50,865	Wier, David D.	Reg. No. 48,229
Stewart, Alan R.	Reg. No. 47,974	Williams, Douglas J.	Reg. No. 27,054
Stoll-DeBell, Kirstin L.	Reg. No. 43,164	Wong, Bryan A.	Reg. No. 50,836
Strouse, Thomas J.	Reg. No. 53,950	Zeuli, Anthony R.	Reg. No. 45,255
Sullivan, Timothy	Reg. No. 47,981		
Swenson, Erik G.	Reg. No. 45,147		

as attorneys and/or patent agents with the full power to represent the applicant in connection with this application.

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

The Barrier Group, a corporation organized and existing under the laws of the State of Minnesota, having a place of business at 14000 Sunfish Lake Boulevard, Ramsey, MN 55303, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

- A. ☐ An assignment from the inventor(s), of the patent application identified above.
- The assignment was recorded in the Patent and Trademark Office on , at Reel , Frame(s) , or for which a copy is attached.
- B. ☐ A chain of title from the inventor(s) of the patent application identified above to the current assignee as shown below:
1. From: To:

The document was recorded in the Patent and Trademark Office at Reel , Frame(s) , or for which a copy thereof is attached.

 2. From: To:

The document was recorded in the Patent and Trademark Office at Reel , Frame(s) , or for which a copy thereof is attached.

3. From: To:

The document was recorded in the Patent and Trademark Office at Reel ,
Frame(s) , or for which a copy thereof is attached.

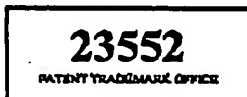
- ☐ Additional documents in the chain of title are listed on a supplemental sheet.
☒ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to act on behalf of the
assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that
all statements made on information and belief are believed to be true; and further, that these
statements are made with the knowledge that willful false statements, and the like so made, are
punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States
Code, and that such willful false statements may jeopardize the validity of the application or any
patent issuing thereon.

Please direct all correspondence to John C. Reich, MERCHANT & GOULD P.C., P.O.
Box 2903, Minneapolis, MN 55402-0903, telephone (303)357-1670.

Date: January 29, 2004



By: 

Title (if any): CTO / PARTNER
THE BANNER GROUP

ASSIGNMENT

WHEREAS, we, Robert James Demopoulos, residing at 12148 Mississippi Drive North, Champlin, Minnesota 55316, United States and David James Fladebo, residing at 11454 85th Ave, Clear Lake, Minnesota 55319, United States, made certain new and useful inventions and improvements for which we filed an application for Letters Patent of the United States on, which is entitled INTEGRATED TRAFFIC MONITORING SYSTEM.

AND WHEREAS, The Barrier Group, a corporation organized and existing under and by virtue of the laws of the State of Minnesota, and having an office and place of business at 14000 Sunfish Lake Boulevard NW, Ramsey, MN 55303, United States (hereinafter "Assignee") is desirous of acquiring the entire right, title and interest in and to said inventions, improvements and application and in and to the Letters Patent to be obtained therefor;

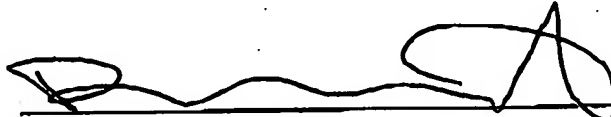
NOW THEREFORE, to all whom it may concern, be it known that for and in consideration of the sum of One Dollar and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, we have sold, assigned, and transferred, and by these presents do sell, assign and transfer unto said Assignee, its successors or assigns, the entire right, title and interest for all countries in and to all inventions and improvements disclosed in the aforesaid application, and in and to the application, all divisions, continuations, or renewals thereof, all Letters Patent which may be granted therefrom, and all reissues or extensions of such patents, and in and to any and all applications which have been or shall be filed in any foreign countries for Letters Patent on the inventions and improvements, including an assignment of all rights under the provisions of the International Convention, and all Letters Patent of foreign countries which may be granted therefrom; and we do hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all United States Letters Patent for the aforesaid inventions and improvements to the Assignee as the assignee of the entire right, title and interest in and to the same, for the use of the Assignee, its successors and assigns.

AND, for the consideration aforesaid, we do hereby agree that we and our executors and legal representatives will make, execute and deliver any and all other instruments in writing including any and all further application papers, affidavits, assignments and other documents, and will communicate to said Assignee, its successors and representatives all facts known to us relating to said improvements and the history thereof and will testify in all legal proceedings and generally do all things which may be necessary or desirable more effectually to secure to and vest in said Assignee, its successors or assigns the

entire right, title and interest in and to the improvements, inventions, applications, Letters Patent, rights, titles, benefits, privileges and advantages hereby sold, assigned and conveyed, or intended so to be.

AND, furthermore we covenant and agree with said Assignee, its successors and assigns, that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by us and that full right to convey the same as herein expressed is possessed by us.

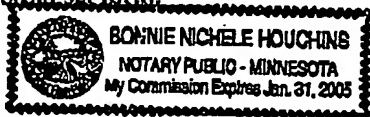
IN TESTIMONY WHEREOF, I have hereunto set my hand this 29 day of January, 2004.



Robert James Demopoulos

STATE OF MN)
COUNTY OF Hennepin) ss.


On this 29 day of January, 2004, before me personally appeared Robert James Demopoulos to me known and known to me to be the person described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth.

[SEAL]




Notary Public

IN TESTIMONY WHEREOF, I have hereunto set my hand this 29 day of January, 2004.

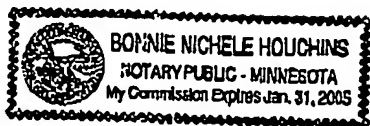

David James Fladebo

STATE OF MN)
COUNTY OF Hennepin) ss.

On this 29 day of January, 2004, before me personally appeared David James Fladebo to me known and known to me to be the person described in and who executed the

foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth.

[SEAL]



Bonnie Nichole Houchins
Notary Public